

2013 DRAFTING REQUEST

Assembly Amendment (AA-AB40)

Received: **5/10/2013** Received By: **btradewe**
Wanted: **As time permits** Same as LRB:
For: **Legislative Fiscal Bureau** By/Representing: **Bonderud**
May Contact: Drafter: **btradewe**
Subject: **Environment - env. cleanup** Addl. Drafters:
Extra Copies:

Submit via email: **YES**
Requester's email: **Legislative Fiscal Bureau**
Carbon copy (CC) to:

Pre Topic:

LFB:.....Bonderud -

Topic:

PECFA changes

Instructions:

See attached

Drafting History:

<u>Vers.</u>	<u>Drafted</u>	<u>Reviewed</u>	<u>Typed</u>	<u>Proofed</u>	<u>Submitted</u>	<u>Jacketed</u>	<u>Required</u>
/?	btradewe 5/10/2013			_____			
/1		evinz 5/13/2013	jmurphy 5/13/2013	_____	srose 5/13/2013		

FE Sent For:

<END>

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/?	btradewe	1 ccv 5/13/13	Jim 5/13	self			
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FE Sent For:

<END>

officials indicate that site closure requests submitted to DSPS before the effective date of the bill would be considered "pending matters" and would not be subject to the DNR case closure fee.

15. A number of corrections to the bill could be made (Alternative 2). The bill would transfer the DSPS PR appropriation for receipt of closure fees, and authority to assess fees, to DNR. The transfer of this authority would be redundant to the existing DNR authority to assess and collect fees for case closure approval at contaminated sites and should be deleted. Second, a correction to the bill is needed to move some of the transferred appropriations to the correct DNR programs. The appropriations for PECFA awards and abandoned tank removal should be placed with other environmental aids appropriations. The appropriations for PECFA revenue obligation debt service costs (with no funding amounts shown in the statutory appropriations schedule) should be placed with other debt service appropriations. Finally, a correction should be made to specify that any unexpended federal LUST funds in the DSPS appropriation would be transferred to the DNR federal administrative appropriation on the effective date of the bill.

ALTERNATIVES

1. Approve the Governor's recommendation to transfer all DSPS responsibilities related to administration of PECFA claim payments and cleanup of contamination at low- to medium-risk petroleum sites to DNR.

2. Approve the Governor's recommendation with the following corrections: (a) delete, instead of transferring to DNR, the duplicative DSPS authority to assess and collect fees for PECFA case closure, and the associated PR appropriation; (b) place the DNR appropriations in the proper programs, including to create the: (1) DNR PECFA awards and abandoned tank appropriations in environmental aids; and (2) PECFA revenue obligation debt service with other debt service appropriations; and (c) transfer any unexpended balance in the DSPS federal LUST appropriation to DNR on the effective date of the bill.

3. Approve the Governor's recommendation, as corrected under Alternative 2. In addition, modify the Governor's recommendation in one or both of the following ways:

a. Delete \$282,300 FED annually and 4.2 vacant FED positions in DNR.

ALT 3a	Change to Bill	
	Funding	Positions
FED	-\$564,600	- 4.20

b. Delete \$67,200 SEG annually and 1.0 vacant SEG position in DNR.

ALT 3b	Change to Bill	
	Funding	Positions
SEG	-\$134,400	- 1.00

Tradewell, Becky

From: Bonderud, Kendra
Sent: Friday, May 10, 2013 8:54 AM
To: Tradewell, Becky
Cc: Hinz, Daryl
Subject: FW: drafting request PECFA

Becky,

For the part of the statutory change that moves appropriations, please move the PECFA awards and abandoned tank appropriations to program 6, environmental aids. Please move all the debt service appropriations to program 7, debt service.

✓ The DSPS appropriation that would be deleted instead of renumbered to DNR is currently s. 20.165(2)(Lm), section 210 of the bill. The corresponding statute is in s. 101.143 (2)(L), section 1646 of the bill.

Kendra

From: Bonderud, Kendra
Sent: Thursday, May 09, 2013 5:22 PM
To: Tradewell, Becky
Subject: drafting request PECFA

JFC acted on the PECFA transfer today, Budget paper 576, Alternatives 2, 3a and 3b. Alternative 2 needs drafting. See also discussion point 15. I hope to be at my desk all day Friday if you would like to discuss. For part c of Alt 2, see the similar provision in the bill in Section 9238 (2) related to federal funding for petroleum tanks.

Thanks.

Kendra Bonderud

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Wisconsin Legislative Fiscal Bureau
ph. (608) 266-3847
Kendra.Bonderud@legis.wisconsin.gov*



State of Wisconsin
2013 - 2014 LEGISLATURE



LRBb0068/1

RCT:.....

teev

In 5/10

LFB:.....Bonderud – PECFA changes

FOR 2013-2015 BUDGET — NOT READY FOR INTRODUCTION
ASSEMBLY AMENDMENT ,
TO ASSEMBLY BILL 40

- 1 At the locations indicated, amend the bill as follows: 15
- 2 1. Page 338, line 10: delete lines 10 to 12 and substitute:
- 3 "SECTION 210b. 20.165 (2) (Lm) of the statutes is repealed." ✓
- 4 2. Page 339, line 3: delete "(2) (er)" and substitute "(7) (dq)". ✓
- 5 3. Page 339, line 5: delete "(2) (er)" and substitute "(7) (dq)". ✓
- 6 4. Page 340, line 1: delete "(2) (es)" and substitute "(7) (dr)". ✓
- 7 5. Page 340, line 3: delete "(2) (es)" and substitute "(7) (dr)". ✓
- 8 6. Page 340, line 10: delete "(2) (et)" and substitute "(7) (ds)". ✓
- 9 7. Page 340, line 12: delete "(2) (et)" and substitute "(7) (ds)". ✓
- 10 8. Page 340, line 24: delete "(2) (eu)" and substitute "(6) (fr)". ✓

**2013-2014 DRAFTING INSERT
FROM THE
LEGISLATIVE REFERENCE BUREAU**

LRBb0068/lins
RCT:.....

1 Insert 2-11

2 1. Page 789, line 12: delete that line and substitute "292.63 (4) (c) 10. and 12.,
3 as renumbered, are amended to read:".

4 2. Page 789, line 12: after that line insert:

5 "292.63 (4) (c) 10. Fees charged under sub. (2) (L) or s. 292.55 (2).".

2 **History:** 1987 a. 399; 1989 a. 31, 254, 255; 1991 a. 39, 82, 269; 1993 a. 16, 301, 416, 491; 1995 a. 27 ss. 3665 to 3683m, 9116 (5); 1995 a. 227, 247, 378, 417; 1997 a. 27, 35, 237, 252, 283; 1999 a. 9, 185; 2001 a. 16, 109; 2003 a. 33; 2005 a. 75; 2007 a. 20, 145; 2009 a. 28, 240; 2011 a. 32.

6 3. Page 789, line 13: delete "292.63 (4) (c)".



State of Wisconsin
2013 - 2014 LEGISLATURE



LRBb0068/1
RCT:eev:jm

LFB:.....Bonderud – PECFA changes

FOR 2013-2015 BUDGET — NOT READY FOR INTRODUCTION
ASSEMBLY AMENDMENT ,
TO ASSEMBLY BILL 40

- 1 At the locations indicated, amend the bill as follows:
- 2 **1.** Page 338, line 10: delete lines 10 to 15 and substitute:
- 3 “**SECTION 210b.** 20.165 (2) (Lm) of the statutes is repealed.”.
- 4 **2.** Page 339, line 3: delete “(2) (er)” and substitute “(7) (dq)”.
- 5 **3.** Page 339, line 5: delete “(2) (er)” and substitute “(7) (dq)”.
- 6 **4.** Page 340, line 1: delete “(2) (es)” and substitute “(7) (dr)”.
- 7 **5.** Page 340, line 3: delete “(2) (es)” and substitute “(7) (dr)”.
- 8 **6.** Page 340, line 10: delete “(2) (et)” and substitute “(7) (ds)”.
- 9 **7.** Page 340, line 12: delete “(2) (et)” and substitute “(7) (ds)”.
- 10 **8.** Page 340, line 24: delete “(2) (eu)” and substitute “(6) (fr)”.

1 **9.** Page 341, line 1: delete “(2) (eu)” and substitute “(6) (fr)”.

2 **10.** Page 341, line 8: delete “(2) (ev)” and substitute “(6) (fs)”.

3 **11.** Page 341, line 10: delete “(2) (ev)” and substitute “(6) (fs)”.

4 **12.** Page 341, line 16: delete “(2) (ew)” and substitute “(6) (fv)”.

5 **13.** Page 341, line 18: delete “(2) (ew)” and substitute “(6) (fv)”.

6 **14.** Page 406, line 23: delete “(2) (er)” and substitute “(7) (dq)”.

7 **15.** Page 778, line 6: delete “(2) (eu)” and substitute “(6) (fr)”.

8 **16.** Page 779, line 14: delete lines 14 to 20 and substitute:

9 “**SECTION 1646b.** 101.143 (2) (L) of the statutes is repealed.”.

10 **17.** Page 789, line 4: delete “(2) (eu)” and substitute “(6) (fr)”.

11 **18.** Page 789, line 7: delete “(2) (eu)” and substitute “(6) (fr)”.

12 **19.** Page 789, line 12: delete that line and substitute “292.63 (4) (c) 10. and 12.,
13 as renumbered, are amended to read:”.

14 **20.** Page 789, line 12: after that line insert:

15 “292.63 (4) (c) 10. Fees charged under sub. (2) (L) or s. 292.55 (2).”.

16 **21.** Page 789, line 13: delete “292.63 (4) (c)”.

17 **22.** Page 1053, line 9: after that line insert:

18 “(2L) FEDERAL AID FOR COSTS RELATED TO PETROLEUM SPILLS. There is transferred
19 from the appropriation account under section 20.165 (2) (m) of the statutes to the
20 appropriation account under section 20.370 (2) (my) of the statutes an amount, as
21 determined by the secretary of administration, that equals the amount of moneys
22 received from the federal government that have been credited to the appropriation

1 under section 20.165 (2) (m) of the statutes for the state’s administrative costs
2 relating to petroleum spills and that have not been expended or encumbered on or
3 before the effective date of this subsection.”.

4 (END)